

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOHN AMOS LANE,

Petitioner,

V.

Civil No. 2:15-cv-036-NT

SCOTT LANDRY, Superintendent
of the Maine Correctional Center,

Respondent.

ORDER ON MOTION TO RECONSIDER

The United States Magistrate Judge filed with the Court on May 28, 2015 his Recommended Decision (ECF No. 8). The Respondent filed his Objection to the Recommended Decision (ECF No. 9) on June 5, 2014. I affirmed the Recommended Decision on July 13, 2015 (ECF No. 10).

This Court has “substantial discretion and broad authority to grant or deny” a motion for reconsideration. *See Ruiz Rivera v. Pfizer Pharms., LLC*, 521 F.3d 76, 81 (1st Cir. 2008). The Court may grant a motion for reconsideration “where the movant shows a manifest error of law or newly discovered evidence.” *Id.* at 81-82. Likewise, a motion for reconsideration should be granted if the Court has “patently misunderstood” a party, or if the court made an error “not of reasoning but of apprehension.” *Id.* at 82. Without employing these standards, the Respondent merely rehashes arguments it previously made to me.

The motion to reconsider is, therefore, **DENIED**. The Respondent has indicated that it will seek summary dismissal on the merits and has requested 90 days to retrieve the files/transcripts in the case. The Respondent shall have until February 1, 2016 to file its motion for dismissal on the merits. With regard to the psychological evaluation suggested by the Respondent, it is premature for me to decide if such an evaluation would be beneficial. If the Respondent believes that such an evaluation would be beneficial, it should make a motion and provide its reasoning for requesting the evaluation.

SO ORDERED.

/s/ Nancy Torresen
United States Chief District Judge

Dated this 29th day of September, 2015.